

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

RYAN DEGROOT,

Plaintiff,

v.

Case No. 14-C-1293

NIAGARA FABRICATION, INC.,

Defendant.

ORDER

This matter came before the Court on a motion by counsel for the plaintiff to withdraw based on the plaintiff's failure to comply with his obligations to his attorney. The Court set the case on for a hearing and specifically directed that notice be sent to the plaintiff, and that the plaintiff be advised that he must appear in person or by telephone. The purpose of requiring plaintiff's presence, of course, was so that the Court could schedule a trial and further proceedings in the matter. The Clerk not only sent the required notice with the warning that the case could be dismissed if plaintiff failed to appear, but also attempted to contact plaintiff by telephone yesterday and today. No answer was received, even though a message was left on his telephone yesterday. Plaintiff was not available when the telephone call was placed and there was no answer. Furthermore, it appears that counsel for plaintiff also emailed notice of the hearing date to plaintiff. Based upon the foregoing, the motion of counsel to withdraw is granted and this case is ordered dismissed for failure to prosecute and for plaintiff's failure to comply with the order that he appear. *See* Fed. R. Civ. P. 16(f)(1)(A) and 41(b).

SO ORDERED at Green Bay, Wisconsin this 26th day of September, 2015.

s/ William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court